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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**DEUTSCHE BANK TRUST  
COMPANY AMERICAS, a  
New York banking corporation,**

**Plaintiff,**

**v.**

**CENTRAL PARK NLV, LLC,  
a Nevada limited liability company;  
LINDEN NELSON, an individual;  
ROE CORPORATIONS I through  
X; and DOES I through X, inclusive)**

**Defendants.)**

**Case No. 2:10-cv-0404-KJD-(LRL)**

**LINDEN NELSON, and individual,**

**Counterclaimant,**

**v.**

**DEUTSCHE BANK TRUST  
COMPANY AMERICAS, a New  
York banking corporation; DOES  
I through X; and ROE CORP-  
ORATIONS I through X, inclusive,**

**Counterdefendants.**

**LINDEN NELSON, and individual, )  
CENTRAL PARK NLV, LLC a )  
Nevada limited liability company, )  
Third Party Plaintiffs, )  
v. )  
THE BUREAU OF LAND )  
MANAGEMENT, an )  
administrative agency of the )  
Federal Government; DOES )  
I through X; and ROE CORP- )  
ORATIONS I through X, inclusive, )  
Third Party Defendants )**

**BUREAU OF LAND MANAGEMENT’S  
MOTION, OUT OF TIME, FOR EXTENSION OF TIME**

**(Second Request)**

Pursuant to Rule 6(b)(2) of the Federal Rules of Civil Procedure and Rule 6-1 of this Court’s Local Rules, Third-Party Defendant, the Bureau of Land Management (“BLM”), respectfully requests that the Court provide BLM an enlargement of time, to and until June 22, 2010, within which to file a reply to “Third-Party Plaintiffs’ Response To Motion To Dismiss Complaints And Countermotion To Amend Third-Party Complaint” (Pacer document 32).<sup>1</sup> In support of this motion, BLM relies upon the memorandum of points and authorities set forth below. Counsel for Linden Nelson, Julie L. Sanpei, Esq., has indicated she has no opposition to this request. Undersigned counsel has not been able to reach counsel for Central Park, Dean Gould, Esq., in order to ascertain his position on this request.

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<sup>1</sup> BLM already filed its reply (*see* Pacer document 36) to Third-Party Plaintiffs’ opposition to BLM’s motion to dismiss but is required to file this request for extension given that the reply brief was anticipated to be filed yesterday (June 21, 2010).

**MEMORANDUM OF POINTS AND AUTHORITIES**

Last week, undersigned counsel filed a request for extension of time to file BLM's reply brief on June 21, 2010 (Monday). Undersigned counsel worked on the brief over the weekend while at home and saved the brief on a floppy disc. Undersigned counsel forgot the disc at home on Monday (yesterday) but intended to return to work later in the evening to simply file it with the Court. After leaving work, undersigned counsel visited with his father who has been suffering from significant health issues and is scheduled for surgery this Wednesday. After returning to work at around 9 p.m., undersigned counsel attempted later that evening to access the document worked on over the weekend but was unable to do so. The shell casing of the floppy disc appeared damaged which might have contributed to that failure. After several attempts, counsel, mindful of the midnight deadline, began working on redrafting a copy of the reply brief. Unfortunately, undersigned counsel, not having anticipated a problem, was also feeling ill and suffering from a strong headache and decided to return to work early in the morning (5 a.m.) in order to draft and file the brief before 9 a.m; which has been accomplished. While undersigned counsel technically had until midnight last night to file the brief, he was not able to meet that deadline for the reasons set forth above. Undersigned counsel, having previously requested an extension of time, apologizes to the Court and opposing counsel for any inconvenience occasioned by this second request for extension of time. Deadlines are matters that undersigned counsel takes seriously and rarely misses. However, in light of the foregoing reasons, counsel for BLM respectfully requests that the Court extend BLM's time to file its reply brief (which in fact has already been filed with the Court) to and until June 22, 2010.

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**Conclusion**

In light of the foregoing, BLM respectfully requests that the Court allow it until June 22, 2010 to file its reply to Third-Party Plaintiff's response to BLM's motion to dismiss. This motion is intended to supersede and serve as a substitute to the previous motion for extension filed last week.

Respectfully submitted,

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*/s/ Paul S. Padda*

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Dated: June 22, 2010

Motions (#34/35/37) GRANTED, NUNC PRO TUNC.

IT IS SO ORDERED.

Dated: July 9, 2010



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U.S. District Judge